



General Assembly

***Substitute Bill No. 6528***

*January Session, 2003*

***AN ACT CONCERNING THE OFFICE OF THE STATE BUILDING INSPECTOR.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsections (a) and (b) of section 29-262 of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2003*):

4       (a) The State Building Inspector and the Codes and Standards  
5 Committee acting jointly, with the approval of the Commissioner of  
6 Public Safety, shall require passage of a written examination and  
7 successful completion of a suitable educational program of training as  
8 proof of qualification pursuant to section 29-261 to be eligible to be a  
9 building official. No person shall act as a building official for any  
10 municipality until the State Building Inspector, upon a determination  
11 of qualification, issues a license to such person except that a license  
12 shall not be required (1) in the case of a person certified prior to  
13 January 1, 1984, or (2) in the case of a provisional appointment, for a  
14 period not to exceed [ninety days] one year in order to complete such  
15 training program and licensure classes, made in accordance with  
16 standards established in regulations adopted by the State Building  
17 Inspector and the Codes and Standards Committee in accordance with  
18 the provisions of chapter 54. The State Building Inspector and the  
19 Codes and Standards Committee, with the approval of the  
20 Commissioner of Public Safety, shall establish classes of licensure that  
21 will recognize the varying complexities of code enforcement in the

22 municipalities within the state.

23 (b) The State Building Inspector shall prepare and conduct or  
24 approve continuing educational programs designed to train and assist  
25 building officials in carrying out the duties and responsibilities of their  
26 office. Such educational programs shall be in addition to the program  
27 specified under subsection (a) of this section and shall consist of not  
28 less than ninety hours of training over consecutive three-year periods.  
29 Each building official and assistant building official shall attend a  
30 minimum of ninety hours of such training [programs and] over  
31 consecutive three-year periods. Each plan reviewer technician shall  
32 attend a minimum of sixty hours of such training over consecutive  
33 three-year periods. Each construction inspector, electrical inspector,  
34 mechanical inspector, plumbing inspector and heating and cooling  
35 inspector shall attend a minimum of thirty hours of such training over  
36 consecutive three-year periods. Each building official and other code  
37 inspection official shall present proof of successful completion to the  
38 State Building Inspector. The State Building Inspector may, after notice  
39 and opportunity for hearing, revoke any license issued under the  
40 provisions of subsection (a) of this section or any certificate issued  
41 prior to January 1, 1984, for failure on the part of a building official to  
42 present such proof. Any licensed or certified building official or other  
43 code inspection official who wishes to retire his or her license or  
44 certificate may apply to the office of the State Building Inspector to  
45 have such license or certificate retired and be issued a certificate of  
46 emeritus. Such retired official may no longer hold himself or herself  
47 out as a licensed or certified official.

48 Sec. 2. Subsection (c) of section 29-402 of the general statutes is  
49 repealed and the following is substituted in lieu thereof (*Effective*  
50 *October 1, 2003*):

51 (c) The provisions of this section shall not apply to (1) a person who  
52 is engaged in the disassembling, transportation and reconstruction of  
53 historic buildings for historical purposes or in the demolition of farm  
54 buildings or in the renovation, alteration or reconstruction of a single-

55 family residence, [or] (2) the removal of underground fuel storage  
56 tanks, (3) the burning of a building or structure as part of an organized  
57 fire department training exercise, or (4) the demolition of a single-  
58 family residence or out building by an owner of such structure if it  
59 does not exceed a height of thirty feet, provided the owner shall be  
60 present on site while such demolition work is in progress, shall be held  
61 personally liable for any injury to individuals or damage to public or  
62 private property caused by such demolition, and provided further  
63 such demolition shall be permitted only with respect to buildings  
64 which have clearance from other structures, roads or highways equal  
65 to or greater than the height of the structure subject to demolition. The  
66 local building official may require additional clearance when deemed  
67 necessary for safety.

68 Sec. 3. Subsection (e) of section 29-252a of the general statutes is  
69 repealed and the following is substituted in lieu thereof (*Effective*  
70 *October 1, 2003*):

71 (e) The State Building Inspector or [his] the designee [shall] of the  
72 inspector may inspect or cause to be inspected any construction of  
73 buildings or alteration of existing buildings by state agencies. The State  
74 Building Inspector may order any state agency to comply with the  
75 State Building Code.

76 Sec. 4. Subsection (b) of section 29-266 of the general statutes is  
77 repealed and the following is substituted in lieu thereof (*Effective*  
78 *October 1, 2003*):

79 (b) When the building official rejects or refuses to approve the mode  
80 or manner of construction proposed to be followed or the materials to  
81 be used in the erection or alteration of a building or structure, or when  
82 it is claimed that the provisions of the code do not apply or that an  
83 equally good or more desirable form of construction can be employed  
84 in a specific case, or when it is claimed that the true intent and  
85 meaning of the code and regulations have been misconstrued or  
86 wrongly interpreted, [the permit, in whole or in part, having been

87 refused by the building official,] or when the building official issues a  
 88 written order under subsection (c) of section 29-261, the owner of such  
 89 building or structure, whether already erected or to be erected, or his  
 90 authorized agent may appeal in writing from the decision of the  
 91 building official to the board of appeals. When a person other than  
 92 such owner claims to be aggrieved by any decision of the building  
 93 official, such person or his authorized agent may appeal, in writing,  
 94 from the decision of the building official to the board of appeals, and  
 95 before determining the merits of such appeal the board of appeals shall  
 96 first determine whether such person has a right to appeal. Upon  
 97 receipt of an appeal from an owner or his representative or approval of  
 98 an appeal by a person other than the owner, the chairman of the board  
 99 of appeals shall appoint a panel of not less than three members of such  
 100 board to hear such appeal. Such appeal shall be heard in the  
 101 municipality for which the building official serves within five days,  
 102 exclusive of Saturdays, Sundays and legal holidays, after the date of  
 103 receipt of such appeal. Such panel shall render a decision upon the  
 104 appeal and file the same with the building official from whom such  
 105 appeal has been taken not later than five days, exclusive of Saturdays,  
 106 Sundays and legal holidays, following the day of the hearing thereon.  
 107 A copy of such decision shall be mailed, prior to such filing, to the  
 108 party taking such appeal. Any person aggrieved by the decision of a  
 109 panel may appeal to the Codes and Standards Committee within  
 110 fourteen days after the filing of the decision with the building official.  
 111 Any determination made by the local panel shall be subject to review  
 112 de novo by said committee.

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| This act shall take effect as follows: |                        |
| Section 1                              | <i>October 1, 2003</i> |
| Sec. 2                                 | <i>October 1, 2003</i> |
| Sec. 3                                 | <i>October 1, 2003</i> |
| Sec. 4                                 | <i>October 1, 2003</i> |

**PS**            *Joint Favorable Subst.*